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Message Text

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ACTION SS-25

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S E C R E T NICOSIA 1478

EXDIS

E.O. 11652: XGDS-1
TAGS: PINR, CY, US
SUBJECT: DAVIES TRIAL

REF: STATE 127993

1. WE APPRECIATE PROMPT, FORCEFUL REPRESENTATION BY COUNSELOR NIMETZ TO DIMITRIOU, WHICH PRODUCED IMMEDIATE REACTION. DIMITRIOU TELEPHONED FONMIN CHRISTOPHIDES WHO IN TURN SUMMONED CHIEF PROSECUTOR EVANGELOU JUNE 2 FOR A FULL REPORT ON TRIAL STATUS AND PROSPECTS. CHRISTOPHIDES THEN ASKED ME TO CALL MORNING JJNE 3 TO REPORT HIS CONVERSATION WITH EVANGELOU AND INFORM NIMETZ.

2. CHRISTOPHIDES EMPHASIZED TO ME THAT EVANGELOU IS ONE OF GOC ATTORNEY GENERAL'S BEST PROSECUTORS. HIS ASSIGNMENT TO DAVIES CASE ATTESTED GOC SERIOUSNESS. IN HIS CONVERSATION WTIH EVANGELOU, CHRISTOPHIDES ASKED HIM IF HE WERE UNDER PRESSURE FROM ANY QUARTER TO DEAL LIGHTLY WITH DEFENDANTS. EVANGELOU SAID NONE WHATSOEVER. HE ASSURED CHRISTOPHIDES HE WAS DOING HIS ABSOLUTE BEST WITH MATERIAL AT HAND. UNFORTUNATELY, EVIDENCE IS WEAK. ALMOST THREE YEARS HAVE PASSED SINCE DAVIES WAS KILLED. IN AUGUST 1974, THE KILLERS STILL HAD FRIENDS IN HIGH PLACES IN THE POLICE. LITTLE ATTEMPT AT SERIOUS INVESTIGATION WAS MADE. WITNESSES WERE TOLD NOT TO BOTHER. WHAT EVIDENCE HAD
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BEEN COLLECTED WAS REMOVED FROM THE FILE. KTIMATIAS' WEAPON WAS NOT RECOVERED. STATEMENTS TO POLICE BY EMBASSY LOCAL EMPLOYEES WERE FOR A LONG TIME IN CONFLICT, WITH SOME ASSERTING SHOTS HAD COME FROM INSIDE THE BUILDING. ON THIS ISSUE ALONE, EVANGELOU HAD WORKED FOR DAYS TO PRODUCE A CONSENSUS THAT THERE WERE NO SHOTS INSIDE THE BUILDING. OF GREATEST CONSEQUENCE, USG HAD SUPPORTED INSISTENCE BY TV COMPANIES THAT THEIR FILMS COULD NOT

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BE INTRODUCED AS EVIDENCE IN THE TRIAL.

3. IN OUR CONVERSATION, CHRISTOPHIDES CONCLUDED BY SAYING THAT GOC VERY WELL UNDERSTOOD INTEREST AND CONCERN OF USG AS REFLECTED IN NIMETZ APPROACH TO DIMITRIOU. IT SHARED THAT CONCERN AND HOPED TRIAL RESULT WOULD BE WERIOUS SENTENCES FOR DEFENDANTS IF AVAILABLE EVIDENCE FINALLY SUPPORTED THEIR GUILT.

4. COMMENT: SHORTLY AFTER MY MEETING WITH CHRISTOPHIDES, COURT RULED THAT EVIDENCE WOULD NOT SUPPORT HOMICIDE CHARGES AGAINST KTIMATIAS AND LEFTIS. WE ARE REPORTING BY SEPTEL. END COMMENT.

5. RE PARA TWO REFTEL, COURT HAS NOT GONE INTO RECESS UNTIL JUNE 13. WHEN TRIAL RESUMES ON THAT DATE, IT IS EXPECTED TO LAST THROUGH THAT WEEK, I.E. UNTIL APPROXIMATELY JUNE 17. WE WOULD LIKE TO KEEP PHERSON HERE UNTIL TRIAL IS OVER. ASIDE FROM HIS USEFULNESS IN ASSESSING TRIAL DEVELOPMENTS, HE NEEDS THE TIME TO PREPARE A FINAL REPORT.
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